THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.7929 OF 2005

Dated: 13-12-2005

Between

Ragi Satyanarayan, S/o. late Ramdass, Occ: Business, R/o. H.No.44-214, LIG_93, APIIC Colony, Moulali, Hyderabad and others.

...PETITIONERS

AND

State of Andhra Pradesh, represented by its Secretary, Home Department, Secretariat, Hyderabad and others.

...RESPONDENTS

ORDER:

Petitioners seek a Writ of Mandamus to direct the respondent No.3 not to interfere in their personal life and liberty.

Learned counsel for the petitioners submits that the petitioners are the tenants in respect of premises bearing No.44-214, LIG-93, APIIC Colony, Moulali, Hyderabad and the fourth respondent is the landlady of the said premises. When the fourth respondent started interfering with the continuous possession of the petitioners they have filed a suit in O.S.No.2131 of 2003 on the file of the Junior Civil Judge, East & North, Ranga Reddy District for perpetual injunction restraining the fourth respondent from interfering with their peaceful possession and ejecting them from the said premises and the petitioners have obtained interim injunction. While so, the fourth respondent also filed a suit in O.S.No.560 of 2004 on the file of the Junior Civil Judge, East & North, Ranga Reddy District for eviction of

the petitioners.

Both the suits are pending on the file of the same Court. Thereafter, on a report filed by the fourth respondent, the third respondent registered a case in Cr.No.71 of 2005 for the offence under Sections 341, 506 and 504 of the Indian Penal Code against the petitioners, wherein the petitioners obtained bail and the said case is pending.

It is further submitted that except for the purpose of investigation in the said case the third respondent has no right or authority to interfere with the personal life and liberty of the petitioners and at the instance of the fourth respondent, the third respondent is threatening the petitioners to vacate and hand over the said premises in favour of the fourth respondent and also threatening them with dire consequences.

Having regard to the facts and circumstances, the third respondent is directed not to interfere with the personal life and liberty of the petitioners and in the civil disputes, except following due procedure of law in respect of the criminal case pending against the petitioners.

The writ petition is accordingly disposed of.

_____

V. ESWARAIAH, J

December 13, 2005

DSK